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Attorneys for Nominal Defendant
Hewlett-Packard Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SAGINAW POLICE & FIRE PENSION
FUND,

Plaintiff,

vs.

MARC L. ANDREESSEN, LAWRENCE
T. BABBIO, SARI M. BALDAUF, RAJIV
L. GUPTA, JOHN H. HAMMERGREN,
MARK V. HURD, JOEL Z. HYATT,
JOHN R. JOYCE, ROBERT L. RYAN,
LUCILLE S. SALHANY, and G.
KENNEDY THOMPSON,

Defendants.

– and –

HEWLETT-PACKARD COMPANY, a
Delaware corporation,

Nominal Defendant.

Case No. 5:10-CV-04720-LHK

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME TO FILE
RESPONSE TO COMPLAINT AND TO
ESTABLISH BRIEFING SCHEDULE**

Dept.: Courtroom 4, 5th Floor
Judge: Hon. Lucy H. Koh

Trial Dates: None Set

1 Plaintiff Saginaw Police & Fire Pension Fund ("Saginaw"), Defendants Marc L.
 2 Andreessen, Lawrence T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H. Hammergren, Mark
 3 V. Hurd, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan, Lucille S. Salhany, and G. Kennedy
 4 Thompson (collectively, the "Individual Defendants"), and Nominal Defendant Hewlett-Packard
 5 Company ("HP") stipulate as follows:

6 WHEREAS, Plaintiff Saginaw filed this action captioned *Saginaw Police & Fire Pension*
 7 *Fund v. Marc L. Andreessen, et al.* (Case No. 5:10-CV-4720-LHK) in this Court on October 19,
 8 2010;

9 WHEREAS, on November 11, 2010, the parties submitted a stipulation to the Court
 10 wherein they agreed to a date by which Individual Defendants and HP would respond to the
 11 complaint and to a briefing schedule related to any motions filed in response to the complaint
 12 (Docket No. 21);

13 WHEREAS, on November 12, 2010, the Court approved the parties' stipulation and
 14 entered it as an order (Docket No. 25);

15 WHEREAS, the parties now agree to extend further the dates by which the Individual
 16 Defendants and HP may answer, move or otherwise respond to the complaint and the briefing
 17 schedule related to any motion to dismiss, or any motion otherwise responding to, the complaint
 18 in this action;

19 NOW, THEREFORE, the parties agree as follows:

20 1. The date by which Defendants Marc L. Andreessen, Lawrence T. Babbio,
 21 Sari M. Baldauf, Rajiv L. Gupta, John H. Hammergren, Mark V. Hurd, Joel Z. Hyatt, John R.
 22 Joyce, Robert L. Ryan, Lucille S. Salhany, and G. Kennedy Thompson and Nominal Defendant
 23 Hewlett-Packard Company shall answer, move or otherwise respond to the complaint in this
 24 action, which was January 13, 2011, shall now be February 3, 2011.

25 2. The date by which Plaintiff Saginaw Police & Fire Pension Fund shall file
 26 its opposition brief to any motion to dismiss, or any motion otherwise responding to, the
 27 complaint in this action, which was February 28, 2011, shall now be March 21, 2011.

28 3. The date by which Defendants Marc L. Andreessen, Lawrence T. Babbio,
 STIP. TO EXTEND TIME TO FILE
 RESPONSE TO COMPLAINT AND EST. 2 (5:10-CV-04720-LHK)
 BRIEFING SCHEDULE

1 Sari M. Baldauf, Rajiv L. Gupta, John H. Hammergren, Mark V. Hurd, Joel Z. Hyatt, John R.
 2 Joyce, Robert L. Ryan, Lucille S. Salhany, and G. Kennedy Thompson and Nominal Defendant
 3 Hewlett-Packard Company shall file any reply briefs in support of any motion to dismiss, or any
 4 motion otherwise responding to, the complaint in this action, which was March 21, 2011, shall
 5 now be April 11, 2011.

6 4. Defendants Marc L. Andreessen, Lawrence T. Babbio, Sari M. Baldauf,
 7 Rajiv L. Gupta, John H. Hammergren, Mark V. Hurd, Joel Z. Hyatt, John R. Joyce, Robert L.
 8 Ryan, Lucille S. Salhany, and G. Kennedy Thompson preserve their rights to object to this action
 9 on grounds of improper venue or lack of personal jurisdiction.

10 5. This stipulation is made without prejudice to the parties later agreeing to a
 11 further stipulation extending the time to answer, move or otherwise respond to the complaint in
 12 this action, and without prejudice to any party later seeking an order from the Court seeking a
 13 new date to answer, move or otherwise respond to the complaint in this action.

14 Dated: January 5, 2011

MORGAN, LEWIS & BOCKIUS LLP

15 By: /s/ Marc J. Sonnenfeld

16 Marc J. Sonnenfeld
 17 Attorneys for Nominal Defendant
 18 Hewlett-Packard Company

19 I, Marc J. Sonnenfeld, am the ECF User whose ID and password are being used to file this
 20 STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO FILE RESPONSIVE
 21 PLEADINGS AND TO ESTABLISH BRIEFING SCHEDULE. In compliance with General
 Order 45, X.B., I hereby attest that each of the three signatories below has concurred with this
 filing.

22 Dated: January 5, 2011

SCOTT + SCOTT LLP

23 By: /s/ Mary K. Blasy

24 Mary K. Blasy
 25 Attorneys for Plaintiff Saginaw Police &
 26 Fire Pension Fund

1 Dated: January 5, 2011

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

2
3
4 By: 

James E. Lyons
Attorneys for Defendants Marc L.
Andreessen, Lawrence T. Babbio, Sari M.
Baldauf, Rajiv L. Gupta, John H.
Hammergren, Joel Z. Hyatt, John R. Joyce,
Robert L. Ryan, Lucille S. Salhany, and G.
Kennedy Thompson

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6
7
8 Dated: January __, 2011

ALLEN MATKINS LECK GAMBLE
MALLORY & NASTIS LLP

9
10
11 By: _____

Lawrence D. Lewis
Attorneys for Defendant Mark V. Hurd

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14 PURSUANT TO STIPULATION, IT IS SO ORDERED:

15
16 Dated: _____, 2011

HON. LUCY H. KOH
United States District Court Judge
Northern District of California

1 Dated: January 5, 2011

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

2
3 By: /s/ James E. Lyons

4 James E. Lyons
5 Attorneys for Defendants Marc L.
6 Andreessen, Lawrence T. Babbio, Sari M.
7 Baldauf, Rajiv L. Gupta, John H.
Hammergren, Joel Z. Hyatt, John R. Joyce,
Robert L. Ryan, Lucille S. Salhany, and G.
Kennedy Thompson

8 Dated: January 5, 2011

ALLEN MATKINS LECK GAMBLE
MALLORY & NASTIS LLP

9
10 By: /s/ Lawrence D. Lewis

11 Lawrence D. Lewis
12 Attorneys for Defendant Mark V. Hurd

13
14 PURSUANT TO STIPULATION, IT IS SO ORDERED:

15
16 Dated: January 11, 2011



HON. LUCY H. KOH
United States District Court Judge
Northern District of California